

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

LUZ GONZÁLEZ BERMÚDEZ
Plaintiff

v.

ABBOTT LABORATORIES P.R. INC. *et al*
Defendants

CIVIL NO. 14-1620 (PG)

AGE DISCRIMINATION;
RETALIATION; DAMAGES

TRIAL BY JURY DEMANDED

**SECOND REQUEST FOR ADJUDICATION OF
POST JUDGMENT MOTIONS
OR FOR SCHEDULING OF STATUS CONFERENCE**

TO THE HON. JUAN M. PÉREZ GIMÉNEZ:

COMES NOW plaintiff, through the undersigned attorneys, and very respectfully states and prays as follows:

1. The instant case was tried from October 12 until October 25, 2016, when the jury reached a verdict in favor of Luz González Bermúdez (hereinafter “González”). Docket Entry (“DE”) 138.
2. Judgment in the amount of \$8,750,000.00 was entered on November 1, 2016. DE 150.
3. On November 28, 2016, co-defendants Abbott Laboratories Puerto Rico, Inc. and Kim Pérez (collectively “Abbott”), filed Defendants’ Renewed Rule 50(b) Motion for Judgment as a Matter of Law; Motion and Memorandum of Law for a New Trial; and Motion for Relief from a Judgment or Order Under Rule 60 and/or Motion to Alter or Amend Judgment Under Rule 59(e). DE’s 163, 164 and 165.
4. González filed her Omnibus Opposition on December 12, 2016. DE 170.
5. On December 19, 2016 Abbott filed its Motion for Leave to File Omnibus Reply and Tendering Reply. DE 171.
6. Abbott’s Reply was filed on January 20, 2017. DE 177.

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7. On January 26, 2017, González informed the court that she would not file any surreply and that the court should deem the post-trial motions submitted for adjudication. DE 179.

8. The undersigned has explained to González the complexity of the pending motions and the court's congested calendar, as well as the effects of the passage of Hurricane María on the court's operations.

9. On January 8, 2018, approximately one year after the submission of the parties' post-trial motions and responses, González filed a Request for Adjudication of the Pending Post-trial Motions. DE 182.

10. Thereafter, González became aware of health related circumstances that forced this court to be absent and unable to perform its duties.

11. During the first quarter of 2018, González received from Abbott an invitation to participate in an early retirement initiative for which she qualified due to her date of birth and her 35 years of service.

12. After having duly considered the early retirement option, González elected to participate and, on March 27, 2018, she informed the court, through her Motion for Partial Modification of Request for Injunctive Relief that there was no longer a need for the permanent injunction she had requested.

13. Recently, the undersigned represented a plaintiff in a different case before the presiding judge in this case in which a settlement was reached. As part of the settlement closing process, the undersigned became aware that Chief Judge, Hon. Gustavo A. Gelpí, was handling the docket for Hon. Juan M. Pérez Giménez, due to his unavailability. *See, Gil Caraballo v. Cordero Pérez*, Civ. No. 16-3005 (PG), DE 100.

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14. González has been receptive and understanding of the circumstances that have produced the delay in the adjudication of the pending post judgment motions and lacks any detail as to when the Hon. Juan M. Pérez Giménez is expected to return to his normal duties.

15. Notwithstanding the foregoing, and in furtherance of the undersigned's professional responsibility towards the court and his client, it is very respectfully requested that, as promptly as it may be feasible, the court adjudicate the pending post-trial motions. DE 163-165; 170; 171; 177 and 179.

16. Among the considerations for this request is the likelihood of a subsequent appellate process in light of the issues raised by Abbott.

17. Likewise, González is available to appear for any status conference that Hon. Gustavo A. Gelpí deems appropriate to contribute to the final resolution of the instant case.

WHEREFORE, González very respectfully requests from this Honorable Court that it adjudicate, as promptly as it may be feasible, the pending post-judgment motions in the case at bar or that the court may provide any further relief as it deems proper, including the scheduling of a status conference that Hon. Gustavo A. Gelpí may deem appropriate to contribute to the final resolution of the instant case.

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RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico this 8th day of August, 2018.

I HEREBY CERTIFY that today this document has been filed electronically through the CM/ECF system which will send notification to the parties to their registered email addresses.

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s/Juan Rafael González Muñoz

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